THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.26422 of 1997

DATED: 31.07.2007

Between:

Bosa Yerraiah .. Petitioner

And

Agent to the Government-cum-
The District Collector,
Visakhapatnam
and others. .. Respondents

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.26422 of 1997

ORDER:

This writ petition is filed seeking a writ of Mandamus directing the respondents to grant to the petitioner a "D" Form Patta for the land in an extent of Ac.04.70 cents in Sy.No.292/9 of Vellanki Village in Ex-Servicemen Category pursuant to the provisional assignment made to the petitioner in the year 1979 by correcting the extent and survey number.

According to the petitioner, he was an Ex-Serviceman in Army having served in the Defence for a period of six years during 1962 to 1968. After retirement, he made a request to the Government in the year 1979 to allot an extent of five acres of land to him in the quota meant for Ex-servicemen, and accordingly, an extent of Ac.4.70 cents in Sy.No.292/9 of Vellanki Village was assigned in his favour and right from the year 1979, he is in possession of the said land and with hard labour, he converted the land in question, which was a barren land, into an agricultural land and is thus eking out his livelihood by attending to agricultural operations.

The main grievance of the petitioner is that, though he was put in possession of the land in question, no regular "D" Form patta was assigned in his favour, and hence, he gave an application to the respondents in the year 1995 requesting them to grant "D" Form patta, but the respondents have not passed any order on the application

submitted by him. Hence, he approached this Court and filed the present writ petition.

Despite the fact that notices are served on the respondents, they have not chosen to file the counter.

Heard both the counsel.

Having heard the learned counsel for the petitioner and also that the contentions raised by him are not disputed, the respondents are hereby directed to consider the said representation given by the petitioner in the year 1995 and pass appropriate orders in accordance with law.

Subject to the above directions, the writ petition is disposed of. No order as to costs.

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(GOPALA KRISHNA TAMADA,J)

Dt.31.07.2007
v v